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EXAMINER

HO, THOMAS M

ART UNIT PAPER NUMBER

2134

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/620,350

Applicant(s)

REID, WILLIAM J

Examiner

Thomas M. Ho

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-14,16-24,26-38 and 40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5,16 and 26 is/are allowed.
- 6) ☒ Claim(s) 1-3,6-14,17-24,27-38 and 40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. *Claims 1-3, 5-14, 16-24, 26-38, 40 are pending.*

Response to Arguments

2. The Examiner has fully considered Applicant's previous arguments, but they are moot in view of the new grounds of rejection.

As a clarifying measure, the Examiner notes that Applicant has argued the following on page 13 2nd and 3rd paragraphs. The Examiner will elucidate his position and address applicant's arguments.

"Initially, Applicant is unable to find any specific disclosure in Gannon specifically describing any "security parameter lists" that are updated. Furthermore, even if security parameter lists are, in some way updated in Gannon, there is clearly no teaching or suggestion in the reference of "updating security parameter lists associated with at least one of files and resources associated with each of the plurality of servers"

Specifically, even if Gannon can be construed as teaching updating a list of virus definitions, such a list would not be "associated with at least one or files or resources associated with each of the plurality of servers" as required by claim 1.

Gannon, discloses the usage of the Norton Antivirus software, which releases a virus definition file. Applicant appears to suggest that such a list of virus definition is at least not one of

- 1) a security parameter list
- 2) associated with at least one of files and resources associated with the plurality of servers.

It is the Examiner position however, that a security parameter list, is merely a list of security parameters. A parameter as understood in the art is broadly understood to be a piece of data, any data, that is used for a particular function. For Example, MULT(3, 4) has the parameters 3 and 4, that the function MULT will somehow use or employ. In the same manner, the list of virus definitions serves as a parameter for the Norton antivirus software, which makes use of the definition file so that it now knows to search for new variations or binary strings which may be indicative of a virus. Without further definition, a parameter list may be broadly construed as ANY piece of data, so long as it is used for security purposes.

Secondly, it is the Examiner's position that an association between two entities is merely some demonstrated relationship between them. Associations are intangible. As Dictionary.com recites, it is:

- a. A mental connection or relation between thoughts, feelings, ideas, or sensations.
- b. A remembered or imagined feeling, emotion, idea, or sensation linked to a person, object, or idea.

So long as a relationship, even if intangible, is able to be found between the virus definition list, and the "at least one of files and resources associated with the plurality of servers.", then such an

association which meets the claim can be said to exist. In the case of the virus definition list, there is a definite and unchanging association which dictates how the Norton Antivirus software uses it. The list of virus definitions is associated with at least one of the files associated with the plurality of servers in that each server has a “virus definition file”. The new list that comes about by updating it, is merely replacing the old virus definition file associated with that server. The new list can also be said to be associated with the resources of that server. The vital data that the server stores will be protected once the new virus definition data file is used by Norton. Hence, the association is “using the list as a parameter for protection of the server’s data”.

3. Claim 5, 16, 26 are allowable.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 6-14, 17-24, 27-38, 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over “Gannon University Norton Antivirus Configuration” and “Windows NT server 4.0”.

In reference to claim 1:

“Gannon University Norton Antivirus Configuration” discloses a method of updating security configurations of a plurality of servers, comprising:

- Changing security information in a centralized server, where the security information changed is the virus definition file which the user will download, and the centralized server is the site the antivirus program downloads the virus definition from. Gannon (page 1, figure in the middle, virus definitions dated 9/22/1999)
- Receiving an update command, where the update command is received through liveupdate to update the virus definition file. Gannon (page 3, figure at the top)
- Downloading the changed security information to the plurality of servers in response to receiving the update command, wherein the downloaded changed security information is used to update the security configurations of the plurality of servers, where the changed security information is the new virus definition file and is downloaded to a plurality of servers in response to receiving the update command. Gannon (page 5, Item 5)
- “Gannon University Norton Antivirus Configuration” (page 1, figure 1, “using virus definitions dated 9/22/1999) and “Windows NT server 4.0” discloses the method of claim 1, wherein the security configurations of the plurality of servers are updated by updating security parameter lists associated with at least one of files and resources associated with each of the plurality of servers, where the security configuration is the configuration for virus files, where the plurality of servers are the multiple clients using Norton antivirus

running on windows NT server, and the security parameters are virus definitions, and the security parameter list is the list of virus definitions contained inherently contained in the virus definition file.

The reasons for the combination of “Gannon University Norton Antivirus Configuration” with windows NT servers is as set forth in the previous rejection’s claim 2 below.

In reference to claim 2:

“Gannon University Norton Antivirus Configuration” fails to explicitly disclose the method of claim 1, wherein the plurality of servers are windows NT servers and the centralized server is a directory server.

“Gannon University Norton Antivirus Configuration” however does teach that Norton is compatible with a computer running windows NT. (Bottom of page 1) “Gannon University Norton Antivirus Configuration” also teaches that clients using Norton has the ability to check for virus updates from a centralized server.

Norton Antivirus(Page 1) teaches that windows NT servers may be used as the platform on which to run Norton. (This is meant as a reference to clarify details regarding the use Norton Antivirus and is not used in the 103 combination)

Art Unit: 2134

“Gannon University Norton Antivirus Configuration” also does not teach if the centralized server is a directory server or not.

The Examiner takes official notice that using Windows NT server was well known at the time of invention as it was a widely available commercial product.

Windows NT server 4.0 (page 197) discloses that windows NT server may also act as a directory server.

It would have been obvious to one of ordinary skill in the art at the time of invention to have each client of Norton Antivirus run on Windows NT server and to have the centralized liveupdate server run Windows NT server 4.0 within which directory server functions are performed in order to allow for greater compatibility between the clients (running windows NT server) and the centralized server (running windows NT server).

In reference to claim 3:

Windows NT server 4.0 (page 199, figure 7.12) discloses method of claim 1, wherein the centralized server is a directory server and wherein changing the security information includes using an editor to change a directory listing in the centralized server.

In reference to claim 6:

Art Unit: 2134

“Gannon University Norton Antivirus Configuration” fails to disclose the method of claim 1, wherein the update command is received from a network administrator.

A network administrator is merely a person, another user whose function it is to perform network administration tasks. The occupation of the client running Norton Antivirus can be anyone: a banker, a student, a lawyer, or a painter or anyone that wishes to use Norton Antivirus.

“Gannon University Norton Antivirus Configuration” (page 3) discloses the person who sends the update command is whoever is using the software at the time.

It would have been obvious to one of ordinary skill in the art at the time of invention for a network administrator to send the update command in order for the network administrator to perform his or her job duties of providing security for the network.

In reference to claim 7:

“Gannon University Norton Antivirus Configuration” (page 3) discloses the method of claim 1, wherein the update command is received at scheduled periodic times.

In reference to claim 8:

“Gannon University Norton Antivirus Configuration”(page 3) and “Windows NT server 4.0” discloses method of claim 1, wherein the update command is received from one or more of the

Art Unit: 2134

plurality of servers, where the update command is received from a user running Norton antivirus on windows NT server.

In reference to claim 9:

“Gannon University Norton Antivirus Configuration” and “Windows NT server 4.0” fails to disclose a method wherein the centralized server is a light weight directory access protocol server.

The examiner takes official notice that the lightweight directory access protocol, or LDAP is well known to those of ordinary skill in the art. LDAP defines a standard manner of organizing directory hierarchies and a standard interface for clients to interface with access directory servers.

It would have been obvious to one of ordinary skill in the art to use the lightweight directory access protocol in the central server because LDAP has broad industry support, and runs directly over TCP/IP.

In reference to claim 10:

“Gannon University Norton Antivirus Configuration” discloses the method of claim 1, wherein downloading the changed security information includes filtering a directory listing stored on the centralized server to extract the changed security information, where the filtering of a directory listing to extract the security information is inherent.

Art Unit: 2134

Norton Antivirus downloads a virus definition file from a centralized server. The centralized server, owned by Symantec systems periodically updates to create new virus definition files. It is inherent that the virus definition file that the client download be located in a directory structure of some kind. For example:

C:\my documents\new files\virus_updates.dat

To access this file, a directory listing is inherently filtered through to access that file.

In reference to claim 11:

“Gannon University Norton Antivirus Configuration” discloses the method of claim 1, wherein the security configurations are updated by filtering the downloaded changed security information to extract only necessary update information for updating the security configurations and then updating the security configurations based on the extracted necessary update information, where the information necessary to update the security information taken is the virus definition file and the updating process once the file has been downloaded is inherent to Norton Antivirus.

In reference to claim 32:

“Gannon University Norton Antivirus Configuration” & “Norton Antivirus 5.0 for Windows NT Servers” discloses method in a data processing system for updating access information for a plurality of servers, the method comprising:

- Collecting changes to access information at the data processing system to form modified access information, where the access information is virus definition information which is accessed from the central server, and the changes are collected to form a newly updated set of virus identification collected by antivirus research center. “Gannon Norton Antivirus 5.0 for Windows NT Servers” page 4-5
- Responsive to a policy, transferring the modified access information to the plurality of servers, wherein the modified access information is used to update the security configurations of the plurality of servers, where the policy is simply a rule dictating when the transfer of data or the update is to take place. “Gannon University Norton Antivirus Configuration” (page 3), and where the access information, the virus definition file, is transferred in update process. “Gannon University Norton Antivirus Configuration” (page 4),

No motivation is required to combine, because it is understood that “Norton Antivirus 5.0 for Windows NT Servers” is a reference which provides more details as to the nature of Norton Antivirus, the use of which has already been disclosed by “Gannon University Norton Antivirus Configuration”, and the combination with windows NT which has been established as set forth in the rejection of claim 2.

Claims 13, 38 are rejected for the same reasons as claim 2.

Claim 24 is rejected for the same reasons as claim 3.

Art Unit: 2134

Claims 17, 27 are rejected for the same reasons as claim 6.

Claims 19, 29 are rejected for the same reasons as claim 8.

Claims 20, 30 are rejected for the same reasons as claim 9.

Claims 12, 23, 37 are rejected for the same reasons as claim 1.

Claims 18, 28, 34, 36 are rejected for the same reasons as claim 7.

Claims 21, 31 are rejected for the same reasons as claim 10.

Claim 22 is rejected for the same reasons as claim 11.

Conclusion

6. Any inquiry concerning this communication from the examiner should be directed to Thomas M Ho whose telephone number is (571)272-3835. The examiner can normally be reached on M-F from 9:30 AM - 6:00 PM.

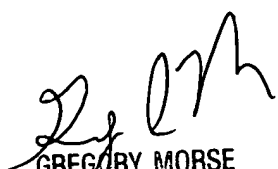
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A. Morse can be reached on (571)272-3838.

The Examiner may also be reached through email through Thomas.Ho6@uspto.gov

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.

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TMH


GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Application/Control Number: 09/620,350

Page 13

Art Unit: 2134

September 17th, 2005